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REGULAR MEETING
CITY COUNCIL
FEBRUARY 5, 2004

ROLL CALL:

MR. WOJCIK, MR. MAHONEY, MR. JUDGE, MR. DUNNE, MR. DROGH, MRS. COLLIER, MS. MESSICK, MR. ARMET, MRS. MAHAR DERGURAHIAN

PUBLIC FORUM: LIST OF SPEAKERS ON FILE IN THE CLERK'S OFFICE

LOCAL LAW NO. 1 (INTRO #1) – REFERRED TO PUBLIC HEARING 3/4/04

LOCAL LAW NO. 2 (INTRO#2) – REFERRED TO PUBLIC HEARING 3/4/04

ORDINANCE NO. 1

INTRODUCED BY: COUNCIL PRESIDENT MAHAR DERGURAHIAN

SECONDED BY: COUNCIL MEMBER JUDGE

**ORDINANCE RESCINDING SALES OF CITY OWNED PROPERTIES PREVIOUSLY APPROVED BY
THE CITY COUNCIL**

The people of the City of Troy, convened in City Council, ordains as follows:

The attached Schedule "A" of sales of City owned properties previously approved by the City Council in which the applicant has either failed to pay the sale price or request an extension of the time to pay, are hereby rescinded.

Approved as to form, January 2, 2004

John P. Hicks, Corporation Counsel

ORDINANCE NO. 1 PASSED – UNANIMOUS

To Mayor, 2/11/04 for Executive Action – Approved, Returned 2/17/04

SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 2

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER DUNNE

**ORDINANCE AMENDING THE CITY'S CAPITAL PLAN TO AUTHORIZE THE TREANSFER OF
UNNEEDED FUNDS FROM SPECIFIED CAPITAL PROJECTS TO OTHER SPECIFIED CAPITAL
PROJECTS WHERE THE FUNDS ARE NEEDED TO COMPLETE THE PROJECTS**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City's Capital Plan is hereby amended by transferring funds from certain capital projects to other capital projects as provided in Schedule "A" entitled

2002/2003 Capital Account Transfer

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, January 21, 2004

John Hicks, Corporation Counsel

ORDINANCE NO. 2 PASSED – UNANIMOUS

To Mayor, 2/11/04 for Executive Action – Approved, Returned 2/17/04

SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 3

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER ARMET

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**ORDINANCE AMENDING THE 2004 CITY BUDGET TO ACCEPT INSURANCE FUNDS RECEIVED
RELATIVE TO THE FIRE CHIEF'S VEHICLE AND TO AUTHORIZE EXPENDITURE FOR
REPLACEMENT VEHICLE**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy Fire Department's Budget is hereby amended by the acceptance of insurance funds paid to the City for transferring funds from insurance as provided in Schedule "A" entitled

2004 Budget Amendment

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, January 21, 2004

John Hicks, Corporation Counsel

ORDINANCE NO. 3 PASSED – UNANIMOUS

To Mayor, 2/11/04 for Executive Action – Approved, Returned 2/17/04

SCHEDULE "A" ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 1

INTRODUCED BY: COUNCIL MEMBER WOJCIK

SECONDED BY: COUNCIL MEMBER JUDGE

MOTION TO TABLE: COUNCIL MEMBER DUNNE

SECONDED BY: COUNCIL MEMBER MAHONEY

Motion Defeated: Ayes: 2 (Dunne & Mahoney) Noes: 7

**RESOLUTION AUTHORIZING THE RETENTION OF SPECIAL COUNSEL FOR LABOR DISPUTES
AND NEGOTIATIONS**

WHEREAS, it appears that the City deems it necessary to hire outside counsel to represent the City of Troy with respect to labor disputes and negotiations; and

WHEREAS, after careful consideration we find that the law firm of Goldberger and Kremer are extremely experienced and successful in handling said labor related matters.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorized the Mayor to retain the law firm of Goldberger and Kremer as per agreement attached hereto and made a part hereof.

Approved as to form, January 22, 2004

John P. Hicks, Corporation Counsel

RESOLUTION NO. 1 PASSED – Ayes: 7 Noes: 2 (Noes: Dunne & Mahoney)

To Mayor, 2/11/04 for Executive Action – Approved, Returned 2/17/04

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 2

INTRODUCED BY: COUNCIL MEMBER KROGH

SECONDED BY: COUNCIL MEMBER JUDGE

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A TWO (2) YEAR AGREEMENT
WITH EMPLOYEE SERVICES INC. FOR THE PURPOSES OF PROVIDING AN EMPLOYEE
ASSISTANCE PROGRAM FOR THE CITY OF TROY WORKFORCE**

WHEREAS, it appears that the City deems it necessary to provide an employee assistance program for the City of Troy; and

WHEREAS, after careful consideration we find that Employee Services Inc. are extremely experienced and successful in providing EAP services.

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NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorized the Mayor to enter into a two (2) Year agreement with Employee Services Inc. as per memorandum in support attached hereto and made a part hereof.

Approved as to form, January 22, 2004

John P. Hicks, Corporation Counsel

RESOLUTION NO. 2 PASSED – UNANIMOUS

To Mayor, 2/11/04 for Executive Action – Approved, Returned 2/17/04

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 3

INTRODUCED BY: COUNCIL MEMBER MESSICK

SECONDED BY: COUNCIL MEMBER KROGH

RESOLUTION APPOINTING THOMAS DALY IV TO THE CITY OF TROY PLUMBERS BOARD

BE IT RESOLVED that the City Council hereby appoints Thomas Daly IV to the City of Troy Plumbers Board.

Approved as to form, January 22, 2004

John P. Hicks, Corporation Counsel

RESOLUTION NO. 3 PASSED – UNANIMOUS

To Mayor, 2/11/04 for Executive Action – Approved, Returned 2/17/04

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 4

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER ARMET

RESOLUTION PROCLAIMING FEBRUARY BLACK HISOTRY MONTH

WHEREAS, Black History Month, founded in 1926, is celebrated nationally each year during the month of February; and

WHEREAS, a month-long celebration commemorates the extraordinary efforts, accomplishments and victories of African-Americans as they endeavored to develop and promote equal opportunity and social equality; and

WHEREAS, Black History Month is the time to celebrate the memory and strength of spirit of those individuals in our nation's history who triumphed over adversity and rose above their circumstances to build dignified lives for themselves, and in so doing, left a cultural legacy for those who were to follow in their paths; and

WHEREAS, this month, and throughout the year, let us commit ourselves to raising our awareness and appreciation of the history and culture of people of color and may their American spirit continue to enrich our daily lives; now, therefore, be it

RESOLVED, that the Troy City Council does hereby recognize February 2004 as Black History Month in the City of Troy.

Approved as to form, January 22, 2004

John P. Hicks, Corporation Counsel

RESOLUTION NO. 4 PASSED – UNANIMOUS

To Mayor, 2/11/04 for Executive Action – Approved, Returned 2/17/04

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 5

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER COLLIER

RESOLUTION APPOINTING COMMISSIONERS OF DEEDS

BE IT RESOLVED, that the City Council hereby appoints the following persons Commissioners of Deeds for the City of Troy for a two year term commencing February 5, 2004 through February 4, 2006:

Melissa Varin
John W. Swertinski

23 Dalamar Court, Latham, NY
PO Box 806, Troy, NY

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Erika R. Celella
Mary Anne Jewett
Karen Messick
Marjorie DerGurahian
Bob Krogh

PO Box 806, Troy, NY
27 Excelsior Ave., Troy, NY
191 Second Street, Troy, NY
453 Seventh Ave., Troy, NY
7 Jesse Court, Troy, NY

Approved as to form, January 26, 2004

John P. Hicks, Corporation Counsel

RESOLUTION NO. 5 PASSED – UNANIMOUS

To Mayor, 2/11/04 for Executive Action – Approved, Returned 2/17/04

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 6

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER ARMET

RESOLUTION APPOINTING MEMBERS TO THE ETHICS BOARD

Pursuant to Section 16 of the City Charter and Local Law #4 (1998), the following City of Troy residents have been appointed to the Ethics Board for a term of three (3) years:

Thomas Casey
82 Fonda Ave.
Troy, New York 12180

Agnes Zink
105 Hill St.
Troy, NY 12180

Rosie Brinson
2259 6th Ave.
Troy, NY 12180

Joanne Fernandez
100 Nyroy Drive
Troy, NY 12180

Approved as to form, February 5, 2004

David Mitchell, Deputy Corp. Counsel

RESOLUTION NO. 6 PASSED – UNANIMOUS

To Mayor, 2/11/04 for Executive Action – Approved, Returned 2/17/04

SEE SUPPORT DOCUMENTATION WITH LEGISLATION